

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling**

TIMOTHY L. SAWYER-HOUSE,

Petitioner,

v.

CIVIL ACTION NO. 5:22-CV-56
Judge Bailey

WARDEN WOLF,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION

The above referenced case is before this Court upon the magistrate judge's report and recommendation [Doc. 10] that the petitioner's § 2241 petition be denied and dismissed without prejudice for lack of jurisdiction. On June 30, 2022, this Court granted petitioner a fourteen (14) day extension to file objections to the report and recommendation. See [Doc. 13]. Petitioner did not file objections within the prescribed deadline.

This Court is charged with conducting a *de novo* review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. ***Thomas v. Arn***, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right


to raise those objections at the appellate court level. ***United States v. Schronce***, 727 F.2d 91 (4th Cir. 1984), *cert. denied*, 467 U.S. 1208 (1984).

A review of the record indicates that the magistrate judge's report and recommendation accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report and recommendation [Doc. 10] is **AFFIRMED**, and this case is **DISMISSED WITHOUT PREJUDICE**.

It is so **ORDERED**.

The Clerk is directed to mail a copy of this Order via certified mail, return receipt requested, to petitioner, and to dismiss this case from the active docket of this Court.

DATED: August 1, 2022.


JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE